

### REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1, 3-17, 19-24, 34, and 36-42 are currently pending. Claims 1, 10, 17, and 34 have been amended by the present amendment. The changes to the claims are supported by the originally filed specification and do not add new matter.<sup>1</sup>

In the outstanding Office Action, Claims 1, 3-17, 19-24, 34, and 36-42 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,148,979 to Yanagawa (hereinafter “the ‘979 patent”) in view of U.S. Patent No. 6,973,597 to Schroath et al. (hereinafter “the ‘597 patent”) and U.S. Patent No. 5,682,227 to Taguchi et al. (hereinafter “the ‘227 patent”).

### REJECTION UNDER 35 U.S.C. § 103

Claim 1 is directed to an electronic apparatus, comprising:

an abnormality detector configured to detect an abnormality when the abnormality occurs in the electronic apparatus;

an abnormality type determination part configured to determine a type of the abnormality detected by said abnormality detector, the abnormality type determination part configured to determine the type of the abnormality as one of

a first type that cannot be eliminated by a user of the electronic apparatus and that prohibits use of the electronic apparatus,

a second type that can be eliminated by the user of the electronic apparatus, and

*a third type that corresponds to a predetermined function of the electronic apparatus in which the abnormality is detected and that prohibits use of the corresponding predetermined function;*

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<sup>1</sup> See, e.g., Figures 13 and 17, and the discussion related thereto in the specification.

*a notification determination part configured to determine whether to inform an external apparatus of the abnormality based on the type of the abnormality determined by the abnormality type determination part, wherein the notification determination part is configured to determine to inform the external apparatus of the abnormality when the type of the abnormality determined by said abnormality type determination part is of the first type, and to inform the external apparatus of the abnormality when the type of the abnormality determined by said abnormality type determination part is a repeat occurrence of the second type;*

an abnormality notification part configured to automatically inform the external apparatus of the abnormality based on whether the notification determination part determines to inform the external apparatus of the abnormality; and

an abnormality display part configured to display, when the type of the abnormality determined by said abnormality type determination part is of the third type, that the abnormality is occurring only when a user request to use the predetermined function is received.

Regarding the rejection of Claim 1 under 35 U.S.C. § 103(a), the ‘979 patent is directed to a printing system and method of dealing with problems in the system. In particular, the ‘979 patent discusses that a host computer 1 determines whether a problem is of (1) Type A that is **capable of being resolved** by the operator per se, (2) Type B that is technical and **cannot be resolved** by the operator, and (3) Type C that **relates to a question** the operator wishes to inquire about. The ‘979 patent further discusses that the problem types are identified **based on information received by the host computer 1 from a separate printing apparatus 3**, as illustrated in Figure 1.<sup>2</sup>

The Office Action appears to cite the ‘979 printing apparatus sensor for teaching the claimed “abnormality detector,” the ‘979 printing apparatus controller 18 for teaching the claimed “abnormality type determination part,” and the ‘979 notification of the printer service depot for teaching the claimed “abnormality notification part.”<sup>3</sup>

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<sup>2</sup> See ‘979 patent, column 7, line 66 to column 8, line 2; column 9, lines 23-35; and column 10, lines 27-34.

<sup>3</sup> See Office Action dated December 10, 2008, page 3.

However, it is respectfully submitted that the '979 patent fails to disclose a notification determination part configured to determine whether to inform an external apparatus of the abnormality based on the type of the abnormality determined by the abnormality type determination part, wherein the notification determination part is configured to determine to inform the external apparatus of the abnormality when the type of the abnormality determined by said abnormality type determination part is of the first type, and to inform the external apparatus of the abnormality when the type of the abnormality determined by said abnormality type determination part is a repeat occurrence of the second type. Rather, the '979 patent simply discusses that the printer apparatus 3 notifies a printer driver installed in the host computer 1 of simple problems that an operator of the apparatus can readily deal with to effect recovery, and problems that are difficult for the operator to effect recovery.<sup>4</sup> That is, the '979 printer apparatus 3 **notifies the printer driver of all detected problems.** When the '979 printer driver is notified of problem detection by any of the sensors 110 to 114, the printer driver causes an Internet address (URL) to be displayed on the display of the host computer 1. The **operator of the host computer 1** observes the display, effects a connection to the Internet, and queries the printer service depot computer about the nature of the problem.<sup>5</sup> The '979 patent does not disclose that the printer apparatus 3 *determines whether to inform an external apparatus* (e.g., the '979 host computer 1 or printer service depot) *of the abnormality based on the type of the abnormality determined by the abnormality type determination part* (e.g., the printer apparatus controller 18). Further, the '979 patent does not disclose that the printer apparatus 3 *determines to inform the external apparatus of the abnormality when the type of the abnormality* determined by said abnormality type determination part *is of the first type*, and to inform the external

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<sup>4</sup> See '979 patent, column 7, lines 18-56.

<sup>5</sup> Id. at column 7, lines 50-63.

apparatus of the abnormality when the type of the abnormality determined by said abnormality type determination part *is a repeat occurrence of the second type*.

Moreover, it is respectfully submitted that the '597 and '227 patents fail to remedy the deficiencies of the '979 patent, as discussed above. The '597 patent is directed to a method and apparatus for rebooting a printer. The '227 patent is directed to a royalty accounting system for a book copier. However, it is respectfully submitted that the '597 and '227 patents do not disclose a notification determination part configured to determine whether to inform an external apparatus of the abnormality based on the type of the abnormality determined by the abnormality type determination part, wherein the notification determination part is configured to determine to inform the external apparatus of the abnormality when the type of the abnormality determined by said abnormality type determination part is of the first type, and to inform the external apparatus of the abnormality when the type of the abnormality determined by said abnormality type determination part is a repeat occurrence of the second type.

Further, the Office Action acknowledges, and it is respectfully submitted that the '979 and '597 patents fail to disclose an abnormality of a third type, as defined in Claim 1. Rather, the Office Action cites the '227 patent for such a teaching. However, it is respectfully submitted that the '227 patent fails to disclose an abnormality of a third type that corresponds to a predetermined function of the electronic apparatus in which the abnormality is detected and that prohibits use of the corresponding predetermined function. Rather, as cited in the Office Action, the '227 patent simply discusses a display board 313 displays only the modes available with the external equipment (printer 300) or displays an error **when a mode not available with the equipment is selected.**<sup>6</sup> The '227 patent does not disclose that the

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<sup>6</sup> See '227 patent, column 18, lines 54-57.

display board 13 displays the error for a mode *of the external equipment*, in which the abnormality is detected and that prohibits use of the corresponding mode.

Thus, no matter how the teachings of the '979, '597, and '227 patents are combined, the combination does not teach or suggest the notification determination part and the third type of abnormality defined in Claim 1. Accordingly, it is respectfully submitted that independent Claim 1 (and all associated dependent claims) patentably defines over any proper combination of the '979, '597, and '227 patents.

Claim 10 recites limitations analogous to the limitations recited in Claim 1. Further, Claim 10 has been amended in a manner analogous to the amendments to Claim 1. Accordingly, for reasons analogous to the reasons stated above for the patentability of Claim 1, it is respectfully submitted that Claim 10 (and all associated dependent claims) patentably defines over any proper combination of the '979, '597, and '227 patents.

Claims 17 and 34 recite, in part,

determining a type of the detected abnormality as one of

a third type that corresponds to a predetermined function of the electronic apparatus in which the abnormality is detected and that prohibits use of the corresponding predetermined function; and

determining whether to inform an external apparatus of the abnormality based on the type of the abnormality determined in the determining the type, wherein the notification determination part is configured to determine to inform the external apparatus of the abnormality when the type of the abnormality determined in the determining the type is of the first type, and to inform the external apparatus of the abnormality when the type of the abnormality determined in the determining the type is a repeat occurrence of the second type.

As noted above, the '979, '597, and '227 patents, alone or in proper combination, fail to disclose the "notification determination part" and the third type of abnormality defined in Claim 1. Thus, the '979, '597, and '227 patents fail to disclose the methods of Claims 17 and

34, respectively. Accordingly, it is respectfully submitted that Claims 17 and 34 patentably define over any proper combination of the '979, '597, and '227 patents.

CONCLUSION

Thus, it is respectfully submitted that independent Claims 1, 10, 17, and 34 (and all associated dependent claims) patentably define over any proper combination of the '979, '597, and '227 patents.

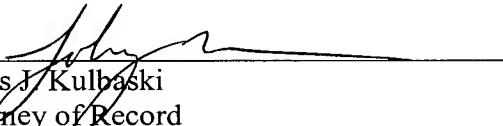
Consequently, in view of the present amendment and in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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